

Mayer, Fortkort & Williams, PC  
251 North Avenue West. 2<sup>nd</sup> Floor  
Westfield, NJ 07090

**RECEIVED**  
CENTRAL FAX CENTER  
NOV 04 2004

---

***Fax Cover Sheet***

<b>DATE:</b>	November 4, 2004	<b>PAGES:</b>	<u>16 (sixteen) w/cover</u>
<b>TO:</b>	Examiner Kevin Michael Burd GAU 2631	<b>PHONE:</b>	(703) 308-7034
		<b>FAX:</b>	(703) 872-9314
<b>FROM:</b>	Karin L. Williams Mayer, Fortkort & Williams, PC	<b>PHONE:</b>	(908) 518-7700
		<b>FAX:</b>	(908) 518-7795

---

**Message**

**DOCKET No. : BCS03393 (formerly PD05924AM P01)**

Please see attached: Petition Under 37 CFR 1.136 (a) and Response to Office Action

---

**CONFIDENTIALITY NOTICE**

This facsimile transmission is intended only for the use of the addressee and may contain confidential information which is protected by the attorney/client privilege. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone to arrange for its return.

**RECEIVED**  
CENTRAL FAX CENTER

NOV 04 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Patrick D. Smith et al.  
Application No. 09/470,890  
Filed: December 22, 1999  
Title: METHOD AND APPARATUS FOR AUTOMATED  
CORRELATION OF DIGITAL MODULATION IMPAIRMENT  
  
Art Unit: 2631  
Examiner: Kevin Michael Burd  
Docket No.: PD05924AM (now BCS03393)

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 37 CFR 1.136(a) and RESPONSE TO OFFICE ACTION**

Applicants hereby petition the Assistant Commissioner to grant a two (2) month extension of time, up to and including November 4, 2004, in which to respond to the Office Action dated June 4, 2004 (Paper No. 9) in the above-identified application. The extension fee in the amount of \$420.00 may be charged to deposit account No. 50-1047. In addition, any deficiencies may be charged to deposit account No. 50-1047.

In response to the Office Action dated June 4, 2004, the period therefore having been extended by a Petition therefore and payment of the extension fee, kindly consider the following remarks.

**Certificate of Facsimile Transmission**

I hereby certify that this document and any document referenced herein has been transmitted via facsimile to the US Patent and Trademark Office at (703) 872-9314 on  
November 4, 2004.

Karin L. Williams, Reg. No. 36,721.

(Printed Name of Person Mailing Correspondence)

*Karin L. Williams*  
(Signature)